

JONES, J

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FREMANTLEMEDIA NORTH AMERICA, :  
INC., :

Plaintiff,

v.

MARINE M. GOSS D/B/A :  
ANGELIC GENIUS and ROSEANNE :  
YARUSI D/B/A THE ROSE GARDEN , :

Defendants.

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WHEREAS Plaintiff FremantleMedia North America, Inc. ("FremantleMedia") has asserted certain claims against the defendants Marine M. Goss d/b/a Angelic Genius ("AG") and Roseanne Yarusi d/b/a The Rose Garden ("Rose Garden")(AG and Rose Garden collectively, the "Defendants") by way of its Complaint dated August 24, 2007; and

WHEREAS, the parties hereto have agreed to resolve the aforementioned claims by entry of a consent order and judgment as set forth below;

NOW, therefore, upon the consent of the parties hereto, it is hereby **ORDERED**,  
**ADJUDGED AND DECREED** that:

1. This Court has jurisdiction over the subject matter of this action and the undersigned parties hereto.

USDC SDNY  
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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 12/6/07

07 Civ. 7519 (BSJ)

**CONSENT ORDER**

2. Defendants, their principals, shareholders, officers, directors, employees, successors, assigns, suppliers, agents, servants and attorneys, and all those persons in active concert, participation or privity with them, or any of them, are permanently enjoined and restrained from:

(i) using, for or in connection with the operation of any business, or the manufacture, distribution, advertising, promotion, offering for sale or sale of any product other than products that FremantleMedia has authorized the sale of, any AMERICAN IDOL Trademarks, the AMERICAN IDOL Trade Dress, or any mark, symbol, name, device, or trade dress that is likely to cause confusion, mistake, or deception;

(ii) using any false designation of origin or description which can or is likely to lead the trade or public, or individual members thereof, to mistakenly believe that any product or service advertised, promoted, offered or sold by the Defendants is sponsored, endorsed, connected with, approved, or authorized by FremantleMedia;

(iii) causing likelihood of confusion or injury to FremantleMedia's business reputation and to the distinctiveness of the AMERICAN IDOL Trademarks and AMERICAN IDOL Trade Dress, by unauthorized use of the same;

(iv) engaging in any other activity constituting unfair competition or infringement of the AMERICAN IDOL Trademarks or the AMERICAN IDOL Trade Dress, or FremantleMedia's rights in or to use, or to exploit, the same;

(v) representing, advertising or promoting, through any means, any false or misleading impression, representation or description that state, or suggest, that the

Defendants or any of their activities are authorized, sponsored, endorsed or approved by, or otherwise affiliated with, FremantleMedia; and

(vi) doing any other act or thing calculated or likely to cause confusion or mistake among the trade or the public, or to deceive purchasers into the mistaken belief that the Defendants' products or services emanate from, are affiliated with, sponsored or approved by, the same source as goods of FremantleMedia, or to misrepresent the nature, characteristics, or qualities of the Defendants' products or services, or the activities of the Defendants' or FremantleMedia; or

(vii) Engaging in any acts contributing to and/or assisting any of the foregoing.

3. This Court shall retain jurisdiction over this action for purposes of enforcement of this Consent Order.

4. All parties hereto shall bear their own attorneys' fees and costs.

Entry of the foregoing decree is hereby CONSENTED TO AND APPROVED:

Dated: New York, New York

~~October~~ 17, 2007  
~~November~~

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U.S.D.J.  
12/6/07